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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TERRENCE GOGGIN

Defendant.

Case No.: CR 18-415-JD

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE STATUS
HEARING TO JULY 31, 2019 AND
EXCLUDE TIME UNDER THE SPEEDY
TRIAL ACT**

Court: Courtroom 11, 19th Floor

Hearing Date: June 19, 2019

Hearing Time: 10:30 a.m.

Mr. Goggin is charged in a 13 count superseding indictment with wire fraud, in violation of 18 U.S.C. § 1343, and engaging in monetary transactions in property derived from specified unlawful activity, in violation of 18 U.S.C. § 1957. He is out of custody and his case is currently set for a status hearing before this Court on June 19, 2019. Undersigned defense counsel took over this case from a colleague on February 4, 2019. *See* Dkt. 23. On February 22, 2019, this Court approved a protective order negotiated by the parties, which the government requested before the production of discovery. *See* Dkt. 26. After this Court issued the protective order, the government produced approximately 11,000 pages of discovery on March 19, 2019. Defense counsel has been working

1 with a Federal Public Defender paralegal to diligently review these materials. On April 16, 2019,
 2 government counsel informed defense counsel that another 12,000 pages of discovery would be
 3 produced within the next one to two months. That discovery is expected to be produced by Friday
 4 June 7, 2019. Given the volume of discovery, defense counsel needs more time to review these
 5 materials with Mr. Goggin once received. Additionally, defense counsel is out of the district from
 6 June 7 through June 12, 2019, and out of the country from July 10 to July 16, 2019. Thus the parties
 7 request the status hearing be continued to July 31, 2019 at 10:30 a.m. to allow for defense review of
 8 the discovery and to accommodate defense counsel's travel schedule.

9 The parties also request this Court exclude time under the Speedy Trial Act, between June 19,
 10 2019 and July 31, 2019. Time was previously excluded through June 19, 2019. *See* Dkt. 36. Time
 11 should continue to be excluded through July 31, 2019, to allow for the effective preparation of
 12 counsel and continuity of counsel, taking into account the exercise of due diligence, as defense
 13 counsel continues to investigate the case, review the evidence and consult with his client.

14 IT IS SO STIPULATED.
 15

16 Dated: June 6, 2019

DAVID L. ANDERSON
 United States Attorney
 Northern District of California

/S

KATIE MEDEARIS
 Assistant United States Attorney

21 Dated: June 6, 2019

STEVEN G. KALAR
 Federal Public Defender
 Northern District of California

/S

HANNI M. FAKHOURY
 Assistant Federal Public Defender

~~PROPOSED~~ ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby finds:

1. The defendant and defense counsel need additional time to review discovery and discuss the case and the evidence with the defendant, tasks which are necessary for the defense preparation of the case, and the failure to grant the requested continuance would unreasonably deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;

2. Defense counsel has represented to the Court he is out of the district for periods of time in June and July 2019, and the failure to grant the requested continuance would unreasonably deny the defendant continuity of counsel, and

3. The ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial.

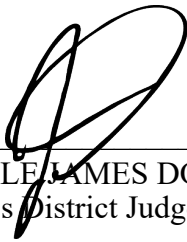
Based on these findings, **IT IS HEREBY ORDERED**

1. The status hearing set for June 19, 2019 at 10:30 a.m. before this Court is vacated and reset for July 31, 2019 at 10:30 a.m.; and

2. Time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), from June 19, 2019 through July 31, 2019.

IT IS SO ORDERED.

DATED: June 13, 2019



HONORABLE JAMES DONATO
United States District Judge